

PART ONE

SUNY/Buffalo Information Brochure
Sexual Harassment: Information for Students

Office of Equity Diversity and Affirmative Action Administration 406, Capen Hall. Phone: (716) 645-2266 Fax: (716) 645-3952

[What is sexual harassment?](#)

[Who is likely to be harassed?](#)

[Who is the harasser?](#)

[How do you know if you are being harassed?](#)

[The impact of sexual harassment](#)

[What can you do if you are being harassed?](#)

[Where on campus can you get help?](#)

[Sexual Harassment: Related Policies](#)

[Sexual Harassment: The Laws](#)

[SUNY at Buffalo Policy on Sexual Harassment](#)

[\[Other Brochures\]](#)

What is sexual harassment?

Any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or creating an intimidating, hostile, or offensive environment

[\[top\]](#)

Who is likely to be harassed?

Although harassment of men by women exists, the over-whelming majority of students who encounter sex-related threats, demands, humiliating and intimidating behavior are females. Sexual harassment of any type is considered unacceptable at the State University of New York at Buffalo.

[\[top\]](#)

Who is the harasser?

The sexual harasser is usually a person who is in a position of authority; someone who could affect your academic or employment status. He/she may be in a position to evaluate your performance, write recommendations or otherwise contribute to academic and/or career enhancement.

However, the harasser could well be someone who has no authority to affect your academic or employment status. He or she could be a co-worker, a colleague, a class/dorm-mate, a visitor to the University, or a non-faculty employee of the University.

The sexual harasser is anyone whose conduct has the purpose or effect of unreasonably interfering with your academic or work performance or whose conduct has the purpose or effect of creating an intimidating, hostile or offensive working, educational or living environment here at the University.

[\[top\]](#)

How do you know if you are being harassed?

Ask yourself:

1. Are comments made about my clothes, make-up and body more than my work?
2. Am I told intimate stories about marital problems and sexual escapades?
3. Does the harasser tell dirty little jokes, or show me lewd pictures that seem to imply sex with him or her is fun?
4. Are there attempts to get my sympathy with sad stories about a failing love life? Does the harasser say things about his or her spouse that embarrass me?
5. Is the harasser curious about my happiness, my dates, my sexual and emotional fulfillment?
6. Am I invited into his or her office to talk about nothing?

7. Does the harasser bump into me "accidentally", or try to fondle or kiss any part of my body?
8. Have I been told I'm his or her "type"?
9. Have I been whistled at in a suggestive manner?
10. Has it been suggested, implied, or plainly stated that the status and conditions of my academic standing or student employment depend on granting sexual requests?
11. Does the harasser make obscene gestures, or leer at my body?
12. Did my academic or working conditions worsen after rejecting the harasser's sexual advances?
13. Is any of my work area decorated with centerfold-type posters or pictures, printed quotations having a sexual connotation, or other offensive objects or displays of a sexual nature?
14. Does the course material, classroom instruction, classroom environment, or the instructor condone and/or promote sexual harassment?

[\[top\]](#)

The impact of sexual harassment

Common reactions of persons who are subjected to harassment include feelings of anger, guilt, helplessness, frustration, and fear. There are often concerns about personal safety, loss of privacy and the threat of possible retaliation if the situation is reported.

Sexual harassment undermines the self confidence, well being and peace of mind of the individual who is offended, and it damages the spirit of trust and collegiality that is central to our University community.

The State University of New York at Buffalo does not condone harassment of any kind and is dedicated to eliminating both blatant and subtle forms of sexual harassment within the University community.

Persons whose conduct is judged to be offensive or harassing or whose conduct is considered retaliatory towards their accuser may face disciplinary action including expulsion or loss of employment.

[\[top\]](#)

What can you do if you are being harassed?

Speak up at the time

If the sexual harassment is blatant: say NO. Say it firmly and without smiling. You want the harasser to know you are serious. State clearly that you don't like what was said or done and you want that behavior to stop. Another way to confront the harasser is to write him or her a letter. The letter should detail what the person did, how it made you feel and how it affected your work. The letter should specifically ask him/her to stop the behavior. In some cases, harassers don't realize that their behavior is offensive or unwelcome. The letter is an excellent way of clarifying your objection. A verbal or written objection is helpful but not essential if you decide to file a grievance at a later date.

Tell someone about it

Even if you are not sure you will report the incident, tell someone what happened. Discuss it openly with others. Find out if others have been harassed by the same person.

Keep records

Keep a diary or log of what is happening to you. Include dates, places, direct quotes, and names of other people that were present. Save any letters, cards, or notes sent to you. Let someone read your records. Keep everything in a safe place.

Get a witness

Ask someone to watch you when the harasser is around. Most advances are made when the harasser thinks no one is watching.

Seek advice or counseling

Students often feel powerless when confronted with situations described in the How Do You Know section, but there are people here on campus who are available and willing to help. You should seek support and advice on stopping sexual harassment. See the section: Where on Campus You Can Get Help.

[\[top\]](#)

Where on campus can you get help?

If the harassment is on-going or if the initial incident is highly disturbing or humiliating or if at any time you feel threatened, it is important for you to discuss the situation with someone who can intervene. Students are encouraged to bring complaints of harassment to the attention of an instructor, an advisor, the chair or unit head or the dean.

Request a meeting with the appropriate supervisory or administrative personnel and be prepared to describe clearly and in detail the nature of the sexual harassment and request that the harassment stop.

Another source of assistance, advice, or intervention is the staff in the Office of Equity, Diversity, and Affirmative Action Administration, 406 Capen, (645-2266). You may speak confidentially to the Director or to the Associate Director.

[\[top\]](#)

Sexual Harassment: Related Policies

Regardless of the options you pursue in dealing with harassment, University policy provides for the following:

1. Complaints will be handled with confidentiality. University procedures for investigating and resolving sexual harassment complaints ensure confidentiality for all parties to the extent possible. In each case, the complaint handler will seek the permission of the individual bringing the complaint before disclosing information and will discuss any concerns regarding confidentiality.
2. Complaints will be handled as quickly as possible. If an investigation or longer resolution period is required, the parties involved will be updated regularly on the status of the inquiry.
3. Retaliatory behavior will be addressed. Retaliation for filing a complaint is illegal and violates University policy. Retaliatory behavior can take many forms: discriminatory action that may affect work or grades, ostracism or further objectionable behavior by the person against whom a complaint was made. The fear of such actions may prevent many from reporting harassment. Be assured retaliatory actions related to a sexual harassment complaint will be treated seriously.

[\[top\]](#)

Sexual Harassment: The Laws

Sexual harassment is a form of unlawful discrimination. It is a violation of federal law under Section 203 of Title VII of the 1964 Civil Rights Act, as amended in 1972; under Title IX of the Education Amendment of 1972 and under Executive Order 11246. In addition, New York Executive Order 19 forbids sexual harassment in state agencies. The NYS Human Rights law extends this protection to all employees within the New York State.

[\[top\]](#)

SUNY at Buffalo Policy on Sexual Harassment

Sexual harassment of employees and students, as defined below, is contrary to University policy and is a violation of federal and state laws and regulations.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement; (2) submission to, or rejection of, such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or creating an intimidating, hostile or offensive environment.

No University employee of either sex shall impose a requirement of sexual cooperation as a condition of employment or academic advancement, or in any way contribute to or support unwelcome physical or verbal sexual behavior.

Any member of the University community who requires additional information, wishes to make a complaint or to receive a copy of the University procedures to be followed for resolving complaints of sexual harassment should contact the Office of Equity, Diversity, and Affirmative Action Administration, 406 Capen, 645-2266.

Sexual harassment of any type is considered unacceptable at the State University of New York at Buffalo.

[\[top\]](#)

Seeking Justice for Campus Rapes: An NPR News Investigation

Campus Rape Victims: A Struggle For Justice

by [Joseph Shapiro](#)

February 24, 2010

A college campus isn't the first place that comes to mind in a discussion about violent crime.

But research funded by the U.S. Department of Justice estimates that 1 out of 5 college women will be sexually assaulted. NPR's investigative unit teamed up with journalists at the Center for Public Integrity (CPI) to look at the failure of schools — and the government agency that oversees them — to prevent these assaults and then to resolve these cases.

A Hidden Attack

When a woman is sexually assaulted on a college campus, her most common reaction is to keep it quiet. Laura Dunn says she stayed quiet about what happened in April 2004 at the end of her freshman year at the University of Wisconsin.

"I always thought that rape was when someone got attacked by a stranger and you had to fight back," she says.

That night, Dunn was drinking so many raspberry vodkas that they cut her off at a frat house party. Still, she knew and trusted the two men who took her back to a house for what she thought was a quick stop before the next party. Instead, she says they raped her as she passed in and out of consciousness.

For a long time, she had a hard time even letting herself call it a rape. It just didn't make sense with the way she saw her life. For one thing, she had a boyfriend she had been dating for four years.

"We were getting close to marriage. We'd been waiting together, so I was still a virgin, and it just didn't fit what I'd wanted my life to be and what I'd planned out my life to be," says Dunn. "So I just kind of pushed it to the side, said, you know, it's this bad incident that happened, and it was just a mistake, we were all drunk. And I just chose to, like, put it there."

Instead, Dunn focused on her schoolwork and kept her grades up. But she couldn't sleep. She lost weight. She broke up with her boyfriend, without ever telling him about the attack.

And she didn't report it.

Fifteen months later, she was sitting in class. The professor was talking about how, in wartime, rape is used as a weapon of terror. "And this professor, who I'll forever respect, stopped the lecture and said, 'You know, I want to talk about rape on this campus.'"

The professor said that more than 80 percent of victims stay silent.

"And she said, 'I want you to know this has happened in my class to my students, and there is something you can do about it, and there is someone you can talk about it with.' And she told me about the dean of students." And with that, Dunn made a decision. "I know it was rape, and now I know that there's something I can do about it. And so the moment that lecture let up, I walked across to the dean of students' office and I reported that day."

Going Public

Colleges and universities got their current-day responsibility to investigate and prevent sexual assaults as a result of an April 1986 crime, after a hard-fought advocacy campaign by the family of Jeanne Clery.

"What happened to Jeanne was so amazingly unreal," her mother, Connie Clery, says. "She was in the right place where she should have been — in her own bed in the dorm at 6 o'clock in the morning, fast asleep. There were three automatically locking doors that should have been locked, which she thought were locked, and she didn't have an enemy in the world. And Lehigh was such a safe-looking place, you know?"

Jeanne Clery was 19 and a freshman at Lehigh University. A stranger — he was a student — raped, tortured and strangled her.

In their grief, Connie Clery and her husband devoted the rest of their lives to making college campuses safer. "So if it happened to Jeanne, it could certainly happen to somebody else," Connie Clery says from the dining room of her home overlooking the St. Lucie River in Florida. "That's why I decided I had to do something to save others from such a horror."

Connie's husband, Howard, sold his successful business to underwrite their work. Connie, who had been terrified of speaking in public, went on TV morning shows and testified before lawmakers.

Their idea was simple: Force schools to disclose all crime that happens on campus. Then students — and their parents — would be informed. That would make the campus safer because faced with public scrutiny, college presidents would have no choice but to get serious about preventing crime.

Twenty years ago, Congress passed that disclosure law, now known as the Jeanne Clery Act.

There's been success. Over a recent 10-year period, the U.S. Department of Justice says campuses have reported a 9 percent drop in violent crime and a 30 percent drop in property crime, according to S. Daniel Carter, the public policy director of Security on Campus Inc., the nonprofit group started by the Clerys. Carter points to another indicator of change: a 5 percent increase in campus police pay, adjusted for inflation. He says that shows that "the Clery Act really has led to colleges and universities to take campus security and protecting their students more seriously than they did 20 years ago."

But Carter says there have been shortcomings, too. And Connie Clery agrees. "The Department of Education has been a disappointment to me," she says.

A Question of Enforcement

The federal Department of Education regulates schools under the Clery Act. But it has fined offending schools just six times. Most fines

have been small. The biggest — for \$350,000 — came against Eastern Michigan University. Administrators there covered up the 2006 rape and murder of a student, 22-year-old Laura Dickinson, letting her parents think she'd died suddenly of natural causes.

The Department of Education can also hold schools accountable under Title IX of the Education Amendments of 1972. Title IX is best known as the federal civil rights law that requires equality in men's and women's sports teams. But the law is broader than that. It says that any educational institution that takes federal funding cannot discriminate against women. Sexual harassment, sexual assault and rape are also considered discrimination on the basis of sex.

"All too often, victims are revictimized by being forced to encounter their assailants on campus day in and day out," says Carter, "especially if they are suffering from some sort of post-traumatic stress, which can trigger panic attacks and have a significant adverse impact on their ability to continue their educational program."

Title IX is among the strongest tools for enforcement at the Education Department, says Carter. But few women know to use it. And when they do, the department rarely acts. Between 1998 and 2008, the department ruled against just five universities out of 24 complaints. That's according to records obtained through the Freedom of Information Act by the Center for Public Integrity. No punishment was given in those cases — simply guidance on how to improve campus procedures.

Presented with those findings, Russlynn Ali, the Education Department's assistant secretary for civil rights, says her office is stepping up outreach to students and assistance to schools. "We want them to get training, we want to provide some help," she says, "so that the adults and the students alike can ensure that this plague — it's really has become a plague in this country — begins to diminish."

Ali says she's willing to take steps not used by her predecessors: to withdraw federal funding from offending schools and refer cases to the Department of Justice for possible prosecution.

In Laura Dunn's case, by the time she reported to campus officials, one of the men she accused had graduated. The other said the sex was consensual. The University of Wisconsin took nine months to investigate, then decided against punishment.

As a last resort, Dunn asked the Department of Education to find that the university had failed in its responsibility to act promptly and to end the sexual harassment she faced being on campus with her alleged attacker.

Two years after Dunn graduated from the university, and nearly four years after the incident, a thick document came in the mail to her apartment. It was the finding by the Department of Education, dated August 6, 2008. She flipped to the last page. "I went straight to the conclusion," she explains.

It said the University of Wisconsin — despite taking nine months on her case — had acted properly. Defeated, Dunn didn't read on. She threw the papers on the top of a pile of other documents in the corner of her bedroom.

"You know, I could have fought it again, and I could have appealed. But that would have meant I would have had to read it, and at that point in my life, just reading it, I just didn't even want to. I did not want to read the ugly things that people said."

But Laura Dunn is no longer silent. She's a leader in a national grass-roots campaign, called PAVE, to get rape survivors to speak out in public.

Kevin Helmkamp, the associate dean of students at the University of Wisconsin, said privacy rules prohibited him from speaking specifically about Dunn's case. But he said the university investigates each allegation carefully, and provides support and resources to students.

Last September, the university updated its rules on student conduct. In the past, the school required "clear and convincing evidence" to find an accused student responsible of a sexual assault. But now, in line with most other schools as well as with federal guidelines, the standard is the lower "preponderance of evidence."

"Mathematically, that would be 51 percent of evidence," Helmkamp says, although in fact, the judgment is more subjective.

Sexual assault cases are among the most difficult matters to determine, he says. "They clearly are very, very difficult cases to investigate. Usually, there is not a lot of corroborating evidence for one side or the other," he says. "It does tend to come down to one person saying this happened and the other person saying, no it didn't happen that way."

The result, "I can assure you, is that someone is going to be unhappy" with the outcome of a decision.

Prevention, Not Punishment

Campus disciplinary programs are not set up like a court of law. Officials lack subpoena power and often end up with the accused and the accuser telling their stories, with a panel of a few campus officials trying to figure out the truth. Schools see the role of these courts to teach students more than to mete out justice. That's also why punishments tend to be light: Counseling and alcohol treatment are more likely than expulsion. The result is that large numbers of women who say they've been assaulted feel dissatisfied with the results, and large numbers of women end up leaving school.

Sometimes there are false accusations — although studies on college campuses in the U.S. and Great Britain show those are rare: about 3 to 6 percent of cases.

Because it's hard to sort out truth in such cases, more school administrators are realizing the importance of putting more emphasis on prevention.

Earlier this month, Security on Campus, the group started by Connie and Howard Clery, presented its annual security award to Nancy Greenstein. She's with the campus police department at UCLA.

That university, in its annual Clery report, shows more sexual assaults than many other schools the same size. At first, that makes it seem like UCLA is unsafe. But Carter says Greenstein was honored for creating a place where women feel comfortable going to police, and so more of them come forward to report a sexual assault.

Greenstein says the campus police, administration and student groups have increased efforts at prevention. And one of the most effective programs gets students talking to other students about the risks of drinking and rape, and the meaning of consent.

"You don't want any students to be harmed," she says of sexual assault. "It changes people's lives. So many students who have been victimized, in a sense they're never the same. And if we can prevent that from happening ... if I can prevent one person from being victimized, then that's successful."

Findings of the Center for Public Integrity and NPR News Investigation:

— **Colleges almost never expel men who are found responsible for sexual assault.** Reporters at CPI discovered a database of about 130 colleges and universities given federal grants because they wanted to do a better job dealing with sexual assault. But the database shows that even when men at those schools were found responsible for sexual assault, only 10 to 25 percent of them were expelled.

— **The U.S. Department of Education has failed to aggressively monitor and regulate campus response to sexual assault.** The department has the authority to fine schools that fail to report crime on campus. In 20 years, the department has used that power just six times. And the department can also find that a school has violated a law that prevents discrimination against women. But between 1998 and 2008, the department ruled against just five universities out of 24 resolved complaints.

— **Colleges are ill-equipped to handle cases of sexual assault.** Most of the time, alcohol is involved. Local prosecutors are reluctant to take these cases, so they often fall to campus judicial systems to sort through clashing claims of whether the sex was consensual or forced.

One out of 5 women will be sexually assaulted during her college years. And despite federal laws created to protect students, colleges and universities have failed to protect women from this epidemic of sexual assault. Even after they've been found responsible for sexual assault, students are rarely expelled or suspended. NPR News Investigations and the Center for Public Integrity teamed up to examine this ongoing problem on college campuses.

Part 1: Morning Edition, Feb. 24

After Jeanne Clery was raped and murdered in her dorm room in 1986, her parents devoted their lives to changing federal law to try to make college campuses safer. It's been 20 years since a federal law was passed in their daughter's name. Still, campus discipline systems rarely expel men when they're found responsible for a sexual assault. And women have been unable to count on help from the government's oversight agency.

Part 2: All Things Considered, Feb. 25

Margaux was a freshman at Indiana University when another student living on her floor raped her. She reported the assault to campus security, but the judicial hearing did not go as she had hoped. This is the story of her struggle for justice — and to feel safe again.

Part 3: All Things Considered, Feb. 26

Even after reporting her rape to campus security, Margaux found that schools often have a limited ability to investigate these complex cases.

Part 4: Morning Edition, March 2

One reason colleges have a hard time stopping sexual assault is a misconception about who is committing these crimes. The assumption is that rapes are often committed by young men whose judgment is impaired from drinking. But University of Massachusetts forensic psychologist David Lisak says most are serial predators.

Rights of Sexual Assault Victims

What's now called the Clery Act, enacted in November 1990, requires that higher education institutions publicly disclose all crime that happens on campus. The idea was that students and their parents should be informed — and that public scrutiny would force colleges to get serious about preventing crime.

A 1992 amendment to the Clery Act added a victims' bill of rights, which requires schools to provide certain basic rights to survivors of sexual assaults on campus, including:

- * Giving the alleged victim and the alleged assailant equal opportunity to have others present in disciplinary proceedings.
- * Notifying alleged victims of their right to pursue justice through local police, and of the availability of counseling services.
- * Notifying alleged victims that they have the option of changing classes and dormitory assignments in order to avoid their alleged assailants.

If a university fails to appropriately handle a reported case of sexual assault, alleged victims can report this to the U.S. Department of Education. Under Title IX of the Education Amendments of 1972 — a civil rights law that prohibits sex-based discrimination — sexual harassment, sexual assault and rape are also considered discrimination on the basis of sex.

If a college or university is aware of but ignores sexual harassment or assault, it may be held liable under the law.

Visit the Web site of Center for Public Integrity to learn more about the law and resources for victims.

— From NPR research and reporting by the Center for Public Integrity

Campus Rape Victims: A Struggle for Justice

Copyright ©2010 National Public Radio®.

Heard on *Morning Edition*

February 24, 2010 - RENEE MONTAGNE, host:

We're going to spend the next few minutes on a problem college campuses have been facing for a long time now, yet the statistics continue to be chilling. A study funded by the U.S. Department of Justice estimates that one out of five college women will be sexually assaulted. Usually, there's alcohol involved.

NPR's investigative unit teamed up with journalists at the Center for Public Integrity for this look at how schools - and the government agency that oversees them - handle these cases. NPR's Joseph Shapiro reports.

JOSEPH SHAPIRO: When a woman is sexually assaulted on a college campus, her most common reaction is to keep it quiet. Laura Dunn says she stayed quiet about what happened in April of 2004, her freshman year at the University of Wisconsin.

Ms. LAURA DUNN: I always thought that rape was when, you know, someone got attacked by a stranger and you had to fight back.

SHAPIRO: That night, Dunn was drinking so many raspberry vodkas that they cut her off at the frat house party. Still, she knew and trusted the two men who took her back to a house. That's where she says they raped her as she passed in and out of consciousness.

Ms. DUNN: I guess I didn't want to believe what actually happened.

SHAPIRO: It just didn't make sense with the way she saw her life. For one thing, she had a boyfriend. They'd been dating for four years.

Ms. DUNN: We were getting close to marriage. We had been waiting together, and so I was still a virgin, and it just didn't fit with what I wanted my life to be and what I'd planned, in my life, to be. So, I just kind of pushed it to the side; said, you know, it's this bad incident that happened, and it was just a mistake. You know, we were all drunk and I just chose to like, put it there.

SHAPIRO: She focused on her schoolwork, but she couldn't sleep. She lost weight. She broke up with her boyfriend without ever telling him about the attack. And she didn't report it.

Fifteen months later, she was sitting in class. The professor was talking about how in wartime, rape is used as a weapon of terror.

Ms. DUNN: And this professor, who I'll forever respect, stopped the lecture and said, you know, I want to talk about rape on this campus.

SHAPIRO: The professor said that over 80 percent of victims stay silent.

Ms. DUNN: And she said, I want you to know that this has happened in my class to my students, and that there is something you can do about it, and there is someone you can talk about it with. And she told me about the dean of students. And after hearing, you know, about rape, I just decided, you know, I know it was rape, and now I know that there's something I can do about it. And so the moment that lecture let up, I walked across to the dean of students' office and I reported that day.

SHAPIRO: We'll tell you what happened to Laura Dunn in a moment.

But first, it helps to know something about the history of how colleges and universities got their current day responsibility to investigate and prevent sexual assaults. It starts with a crime in April of 1986.

Ms. CONNIE CLERY: What happened to Jeanne was so amazingly unreal.

SHAPIRO: Connie Clery is the mother of Jeanne Clery.

Ms. CLERY: She was in the right place, where she should have been - in her own bed, in the dorm at 6 o'clock in the morning, fast asleep. There were three automatically locking doors that should have been locked, which she thought were locked. And she didn't have an enemy in the world. And Lehigh was such a safe-looking place, you know?

SHAPIRO: Jeanne Clery was 19, a freshman at Lehigh University. A stranger he was a student raped, tortured and strangled her. In their grief, Connie Clery and her husband devoted the rest of their lives to making college campuses safer.

Ms. CLERY: So if it happened to Jeanne, it could certainly happen to somebody else. And that's why I decided I had to do something to save others from such a horror.

SHAPIRO: Connie's husband, Howard, sold his successful business to underwrite their work. Connie, who'd been terrified of speaking in public, went on TV morning shows and testified before lawmakers.

Their idea was simple: Force schools to disclose all crime that happens on campus. Then students and their parents would be informed. And the campus would get safer because under public scrutiny, college presidents would have no choice but to get serious about preventing crime.

Twenty years ago, Congress passed that disclosure law, now known as the Jeanne Clery Act.

There's been success. Over a recent 10-year period, violent crime on college campuses dropped by 9 percent.

Ms. CLERY: The Department of Education has been a disappointment to me.

SHAPIRO: But for advocates like Connie Clery, there have been shortcomings, too. The U.S. Department of Education regulates schools under the Clery Act, but it's fined offending schools just six times. And that gets us back to Laura Dunn's case.

She counted on the Department of Education for help.

Ms. DUNN: Dear Ms. Dunn, on August 8, 2006, the U.S. Department of Education Office of Civil Rights received your complaint of discrimination on the basis of sex filed against the University of Wisconsin, Madison.

SHAPIRO: By the time Dunn reported to campus officials, one of the men she accused had graduated; the other said the sex was

consensual. The University of Wisconsin took nine months to investigate, then decided against punishment.

As a last resort, Dunn asked the U.S. Department of Education to find that the university had failed in its responsibility to act promptly, and to end the sexual harassment she faced being on campus with her alleged attacker.

This anti-harassment law is among the strongest tools for enforcement at the Education Department. Few women know to use it, and when they do, the department rarely acts. Between 1998 and 2008, it ruled against just five universities out of 24 complaints. That's according to records obtained through the Freedom of Information Act by the Center for Public Integrity. There was no punishment in those cases - simply guidance on how to improve campus procedures.

Presented with those findings, Russlynn Ali, the assistant secretary for civil rights, says her office is stepping up outreach to students so they know their rights, and assistance to schools so they know their responsibilities.

Ms. RUSSLYNN ALI (Assistant Secretary for Civil Rights, Department of Education): We want them to get training, we want to provide some help so that the adults and the students alike can ensure that this plague - it's really become a plague in this country - begins to diminish.

SHAPIRO: The Education Department official says she's willing to take steps not used by her predecessors: to withdraw federal funding from offending schools, and refer cases to the Department of Justice for possible prosecution.

SOUNDBITE OF WRITING ON BLACKBOARD

Copyright © 2010 National Public Radio®. All rights reserved. No quotes from the materials contained herein may be used in any media without attribution to National Public Radio. This transcript is provided for personal, noncommercial use only, pursuant to our Terms of Use. Any other use requires NPR's prior permission. Visit our permissions page for further information.

NPR transcripts are created on a rush deadline by a contractor for NPR, and accuracy and availability may vary. This text may not be in its final form and may be updated or revised in the future. Please be aware that the authoritative record of NPR's programming is the audio.

@@@@@@@@@@

Laura Dunn is a teacher now. She writes the next day's lesson on the blackboard.

Ms. DUNN: Most days, we'll have students who will be able to find interior angles of triangles.

SHAPIRO: Two years after Dunn graduated, a thick document came in the mail to her apartment. It was the finding by the Department of Education.

Ms. DUNN: I went straight to the conclusion.

SHAPIRO: It said the University of Wisconsin - despite taking nine months on the case - had acted properly. Defeated, Dunn didn't read on. She threw the papers on the top of a pile of other documents in the corner of her bedroom.

Ms. DUNN: You know, I could've fought it again and it could've appealed, but that would've meant I would've had to read it. And at that point in my life, just reading it - I just didn't even want to. I did not want to read the ugly things that people said.

SHAPIRO: But Laura Dunn is no longer silent. She's a leader in a national grassroots campaign to get rape survivors to speak out in public.

Joseph Shapiro, NPR News.

MONTAGNE: To learn more about victims' rights and find resources for campus safety, visit NPR.org.

(Soundbite of music)

MONTAGNE: This is NPR News.